

## **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA ex rel.  
JOSEPH SEIKEL and TERENCE SEIKEL,

Plaintiffs/Relators,

v.

No. 2:20-cv-05286-ER

DAVID B. ALVAREZ, APPLIED  
CONSTRUCTION SOLUTIONS, INC.,  
ENERGY TRANSPORTATION LLC,  
ENERGY RESOURCE GROUP, LLC,  
ET360, LLC, BEAR CONTRACTING, LLC,  
BEAR UTILITIES, LLC, JASON P.  
HENDERSON, and JOHN DOES NOS. 1-50,  
FICTITIOUS NAMES,

Defendants.

**DECLARATION OF DAVID B. ALVAREZ  
IN SUPPORT OF ALVAREZ DEFENDANTS' MOTION TO TRANSFER VENUE**

I, David B. Alvarez, declare as follows:

1. I make this Declaration of my own personal knowledge, and if called as a witness, I would and could testify competently to the matters stated herein.
2. I am a citizen of West Virginia and have resided in Northern West Virginia my entire life.
3. I own and/or operate several dozen businesses, all of which are in West Virginia.
4. I am the owner and sole member of Energy Transportation, LLC.
5. I am the co-owner and the managing shareholder of Applied Construction Solutions, Inc. My brother, Manual Alvarez, is the other co-owner.
6. Energy Transportation, LLC; Applied Construction Solutions, Inc.; and myself in my individual capacity are named as Defendants in this lawsuit.

7. Energy Transportation, LLC's principal place of business is Bridgeport, West Virginia.

8. Applied Construction Solutions, Inc.'s principal place of business is Bridgeport, West Virginia.

9. All documents pertaining to Energy Transportation, LLC and Applied Construction Solutions, Inc. are located in Bridgeport, West Virginia.

10. All employees of Energy Transportation, LLC and Applied Construction Solutions, Inc. reside and work in Northern West Virginia.

11. My personal documents and records are located in Bridgeport, West Virginia.

12. Energy Transportation, LLC applied for its PPP loan on April 3, 2020. Energy Transportation, LLC applied for its PPP loan through United Bank through Patrick Bryant and its West Virginia offices.

13. Energy Transportation, LLC relied on its accountant, a West Virginia Certified Public Accountant, to prepare its PPP application.

14. Applied Construction Solutions, Inc. applied for its PPP loan on April 3, 2020. Applied Construction Solutions, Inc. applied for its PPP loan through United Bank through Patrick Bryant and its West Virginia offices.

15. Applied Construction Solutions, Inc. relied on its accountant, a West Virginia Certified Public Accountant, to prepare its PPP application.

16. The individuals, their anticipated knowledge, and their location listed on pages 20-21 of Defendants Alvarez Memorandum of Law in Support of Their Motion to Transfer Venue are all true and correct to the best of my knowledge.

I declare under penalty of perjury that the foregoing is true and correct.

Executed at Bridgeport, West Virginia this 8th day of November, 2022

A handwritten signature in blue ink, appearing to read "David B. Alvarez", written in a cursive style.

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David B. Alvarez